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10 Attorneys for NORTH BAY REGIONAL CENTER

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

13 SERVICE EMPLOYEES INTERNATIONAL
14 UNION, LOCAL 1021,

15 Petitioner,

16 vs.

17 NORTH BAY REGIONAL CENTER,

18 Respondent.

19 CASE No. C08-04279 CW

20 **STIPULATION AND ORDER TO
21 EXEMPT THIS ACTION FROM THE
22 ADR PROCESS**

23 THE PARTIES IN THIS ACTION, BY AND THROUGH THEIR RESPECTIVE

24 ATTORNEYS, HEREBY STIPULATE AS FOLLOWS:

25 On September 11, 2008, this action was assigned to the Alternative Dispute Resolution
26 (ADR) Multi-Option Program governed by ADR Local Rule 3. After familiarizing themselves
with that rule and the Court's ADR material, the Parties agree that no ADR process is likely to
27 deliver benefits to the Parties sufficient to justify the resources consumed by its use. Specifically,
the Parties agree that because this matter involves a Petition to Compel Arbitration of Labor
Management Dispute under the terms of the applicable collective bargaining agreement, it is more
28 amenable to a single motion process where the decision of the Judge is binding on the Parties.

For these reasons, therefore, the Parties respectfully request that the Court exempt this
action from the ADR process.

1 It is further stipulated and agreed that in the interest of time, this Stipulation may be signed
2 in faxed counterparts, which shall have the same force and effect as an original signature.
3

4 DATED: November 6, 2008

MUSICK, PEELER & GARRETT LLP

6 By:

7 Elaine M. Vukadinovich
8 Attorneys for
North Bay Regional Center

9 DATED: November 6, 2008

WEINBERG, ROGER & ROSENFIELD LLP

12 By:

13 Manuel Boigues
14 Attorneys for
Service Employees International Union, Local
1021

16 IT IS ORDERED THAT:

17 The Parties and this action are exempt from the ADR process and this action may
18 proceed immediately to the litigation process.

22 DATED: Nov. 17, 2008

23 By: _____
Judge for the Northern District of California